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IN THE HIGH COURT OF KARNATAKA AT BANGALORE
DATED THIS THE 2ND DAY OF JUNE 1998

BEFORE

THE HON'BLE MR. JUSTICE H.L. DATTA
WRIT PETITION NO. 15662/1998

BETWEEN:

an
Varadaraj Enterprises
A partnership firm
having its office at
No. 2A-II Phase
Kumbalgod Industrial Area
Kengeri, Bangalore
reptd. by its Partner.

.... Petitioner.

(By Sri M.L.N. Reddy, Adv. for R. Gururajan)

AND:

1. Karnataka Electricity Board
having its offices at
Cauvery Bhavan, B'lore-9
reptd. by its Secretary.
2. Asst. Executive Engineer-
Electricals, Karnataka
Electricity Board, W-6
Sub-Divn. Byatarayanapura
Bangalore.

.... Respondents.

(By Sri N.K. Gupta, Adv.)

This W.P. is filed under Art. 226 of the Constitution of India, praying to quash Annexure C dated 22.4.1998, etc.

This W.P. coming on for Preliminary Hearing this day, the Court made the following:

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~~ORDER~~

Petitioner is a small scale industry and a consumer of power supplied by the Karnataka Electricity Board. Aggrieved by the demand raised by the respondents interalia directing the petitioner to pay off the backbilling charges by the notice dated 22.4.1998, petitioner is before this Court.

2. Regulations of the Board provides for an appeal remedy. That remedy is an effective and also an efficacious remedy. Without exhausting the alternate, effective and efficacious remedy provided under the Regulations itself, in my view, petitioner could not have approached this Court by-passing the appeal remedy.

3. However, Sri Reddy, learned Counsel appearing for the petitioner would submit that he was not served with any notice at any point of time. If that is so, petitioner is directed to approach the respondent-authorities asking them to indicate how they have arrived at amounts which they are demanding in the notice dated 22.4.1998. Without doing so, in my view, petitioner could not have approached this Court.

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4. For the reasons stated, I decline to entertain this writ petition. Accordingly, it is rejected.

Sd/-
JUDGE



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